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CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

Princess Samantha Kennedy

Adam Clayton Urlich
Plaintiffs

Paramount Pictures
Corporation

Defendant

Civil No. 12-CV-0372-WQH WMC

Honorable William A. Hayes

Notice of Motion to

Leave To Amend

with 60 days leave

to Amend Pursuant

to Rule 42 U.S.C.

Section 1983 or other
Federal Law.

Second

Date: December 17, 2012

Time: 11:00 am.

Place: Courtroom 4

This Motion is based on this Motion, the accompanying Memorandum of Points and Authorities, all the pleadings and other documents included in support of Motion Leave To Amend with 60 days Leave to Amend. Plaintiffs hereby moves this Court for leave to file the Second Amended Complaint because it will clarify the dispute between the parties.

Dated 11-28-12 2012

Truly and Most Respectfully
By Princess Samantha Kennedy
and Adam Clayton Ulrich
Plaintiffs Pro Se

12 CV 0372 WQH WMC

Plaintiffs motion For leave to file amended
second complaint - Notice of Motion

1 Princess Samantha Kennedy
2 777 Seacoast Drive, #N, Imperial Beach, Ca. 91932
3 619-816-6045
4

original

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8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
10

11 Princess Samantha Kennedy
12 Adam Clayton Ulrich
13 Plaintiffs
14 v.
15 Paramount Pictures Corp.
16

17 } Civil No. 12 cv 0372 WQH WMC
18 } Honorable William Q Hayes
19 } Memorandum of Points
20 } and Authorities In
21 } Support of Motion to Leave
22 } with 60 days Leave to
23 } Amend Pursuant to
24 } Rule 42 U.S.C. Section
25 } 1983 or other Federal
26 } Law. Second Motion to
27 } Amend, Second Amended
28 } Complaint.

Date: December 17, 2012

Time: 11:00 a.m.

Place: Courtroom 4

Second Motion To Amend Plaintiffs
Complaint (Second Amended Pleading)
For Violation of Civil Rights
Under 42 USC § 1983

Memorandum of Points and Authorities

In Support to Amend

Comes Now the plaintiffs Princess Samantha Kennedy and Adam Clayton Ulrich appearing pro se and makes the following motion to file second amended complaint giving notice of the amendment as a right under Federal Rule of Civil Procedure 15 mandates that leave to amend "be freely given when justice so requires." Fed. R. Civ. P. 15(a). "This policy is to be applied with extreme liberality," *Eminence Capital, LLC v. Aspeon, Inc.*, 316 F. 3d 1048, 1051 (9th Cir. 2003) (quotation omitted). In *Forman v. Davis*, 371 U.S. 178 (1962), the Supreme Court offered several factors for district courts to consider in deciding whether to grant a motion to amend under Rule 15(a). In the absence of any apparent or declared reason—such as undue delay, bad faith or dilatory motive on the part of the movant, repeated failure to cure deficiencies by amendments previously allowed, undue prejudice to the opposing party by virtue of allowance of the amendment, futility of amendment, etc.—the leave sought should, as the rules require, be 'freely given.' *Forman*, 371 U.S. at 182, see also *Smith v. Pac. Prop. Dev. Co.*, 358 F. 3d 1097, 1101 (9th

cir. 2004) (citing *Foran Factors*). We pray
 that The Court grant Plaintiffs to file
 a Second Amended Complaint, without
 reference to prior Amended Complaint with
 60 days leave to file Second Amended
 Complaint. Defendant Paramount wants to
 dismiss First Amended Complaint because
 they say we fail to state a claim, they
 state they had no access, which they did.
 They say that our claim is a "fanciful claim"
 Paramount has exploited three unpublished
 scripts, telling the story, that included
 a synopsis, screenplay and 417 page
 novel, almost 600 pages of unpublished,
 a work in progress, in those scripts I
 write about Both *Forrest* and *Titanic*.
 Plaintiffs would like to submit a brief
 description, or synopsis comparing the
 works of Princess Samantha Kennedy
 and Paramount Pictures, in paragraph
 form, in addition to the sample scenes
 where Paramount exploited and now
 declare that what I presented after
 they cut out expression, omit verbatim
 copying and whittle it down to a few
 words and say it is random similarities,
 that it is "scenes a faire," "ordinary
 phrases, that there is no similarity between
 plot, themes, dialogue, mood, setting, pace,
 characters and sequence of events in
 the works, but there are substantial

similarities. Plaintiffs want to demonstrate this. They want to dismiss without any expert witness, discovery, only on their own word as the defendant. They copied their motion from some of the old Forrest Gump Case, we are NOT trying Forrest Gump, this is a new case and we want a chance to correct our mistakes, "as freely given." Paramount has infringed the same copyrights which we presented to the court. We have presented in exhibits copied dialogue (sample, not entire) same character names, even my Great grandmother Mary Jane who appears in movie and Titanic Script. We would like to present in a synopsis, paragraph form to show copying, to show they access, I worked for Paramount Pictures. The first case, Forrest, Defendants lost by default. They want to dismiss because they say my boy, heir to money according to copyright law, has NO such rights as an heir, that he has NO standing they want to get rid of him because they do not want to double pay. Adam is an autistic person, defendant want to dismiss because he failed to state a claim for Copyright Infringement because he lacks standing, he has spent almost his entire life in this mess, while the defendant and their children have benefitted from Titanic. Adam would like to state a claim, he

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 Memorandum of Points and Authorities
 in Support of motion to file Second Amended Complaint

has signed all papers attesting to the facts. From copyright holder to son, handed down according to the law he does have standing. We would like to show substantial similarity, to show viable cause of action, to state a claim from both Plaintiffs, to show + prove set of facts that entitle us to relief, to show in a paragraph and synopsis form and access. I worked for Paramount Pictures while I was nursing Adam. We have (1) valid copyrights (2) show they had access (3) that we can state a claim and show synopsis between my work and Defendant copy to create Titanic. We have over 700 pages of evidence, we thought this to be presented in trial or discovery, there has been neither. We believe that Notice of amendment as a right under K.S.A. 60-215 in 2010 HB 2656 § 2, a motion for leave to file second amended complaint, also, the court date of December 17, 2012 at 11:00 a.m. in courtroom 4, does not give enough time to amend The Complaint and let Adam state a claim in his words. He is a lot like Forrest running, he was commended by President Clinton and on television, he also won a medal for running in Special Olympics when he was little in the 1990's, He's a good son, we both have southern accents.

5. ^{12 cv0372 WQH WMC} memorandum of Points and Authorities in support of Motion to file Second Amended Complaint

I am like Forrest too, a little slow because I was on life support, bordering on average or below and like 12-14 year old according to doctors, "delayed." We are like teenagers, we want a chance, we have it all here and we want to correct our mistakes, under Copyright Laws of The United States, Title 17 U.S.C. § 101 et. seq on page 5. We do not have enough time to file it by the December 17, 2012 hearing. We have been under a lot of duress of harassment, stalking, being followed by strange cars, people picking on phone line + cursing me and hanging up. We have also been under duress from the auto accident, when someone hit us in the side. See case Chuck Wepner V. Sylvester Stallone, the court let the case go forward after almost 30 years. My biographies were the inspiration to Titanic, with also copying dialogue, whole scenes, family names, copying from my work Mary Jane, my Great-Grandmother, Rose my sister, Foster, my adopted sister also named Rose, Marvin, Lucy, Jack, the artist, who they have no record of him on Titanic, the artist was copied from my work, a wife stealer, the "we are royalty", I write about Queen Elizabeth, she had a sister named Rose and I wrote I was named after a European Queen.

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 memorandum of Points and Authorities
 (b) in support of Motion to file Second Amended Complaint

We want to provide access, state a claim show a viable cause of action between my work and Titanic, to make corrections and provide any other evidence that supports our claim. Memorandum of Law in Support of Amendment We, the plaintiffs, want to

file our Second Amended Complaint as a right in Response to the defendant, Paramount Pictures Motion to Dismiss. Amendment as a Right K.S.A. 60-215(a) allows a party to file an amended complaint, pleading as a matter of right any time before a responsive pleading is served. *Housh v. Kenneth L. Hay, et al.*, KS appl Ct. case NO. 94,425 (2006) Argument in Support of Leave to Amend.

We need to Amend our Complaint and produce viable, viable evidence in this pending case to state a claim, access, synopsis between two works, which we haven't done, to correct mistakes, to amend complaint, new relief for the continuing conduct describe in previous, original Complaint. We ought to be afforded an opportunity to test our claim on the merits, the virtue of allowance of the amendment, the leave sought 'freely given.

Forman v. Davis, 371, U.S. 176, 182, 9 L. Ed.

2d 222, 935. Ct. 227 (1962) Leave to amend a pleading "shall be freely, given when justice so requires." K.S.A. 60-215(a). K.S.A. 60-215(b)

authorizes the court to amend the pleading. We request a leave to Amend Pursuant to Rule 42 U.S.C. section 1963 or other Federal Law. 2nd motion to amend,

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7. memorandum of Points and Authorities
in support of motion to file second
amended complaint

to file second Amended Complaint. According to Federal Rule of Civil Procedure 15, "a party may amend the party's pleading once as a matter of course at any time before a responsive pleading is served ... [O]therwise a party may amend the party's pleading only by leave of court or by written consent of the adverse party." Fed. R. Civ. P. 15(a). Where leave of the court is sought, Rule 15 states, "leave shall be freely given when justice so requires." *Id.* In *Forman v. Davis*, the Supreme Court held that in the absence of any apparent or declared reason—such as undue delay, bad faith or dilatory motive on the part of the movant, repeated failure to cure deficiencies by amendments previously allowed, undue prejudice to the opposing party by virtue of allowance of the amendment, futility of amendment, etc.—the leave sought should, as the rules require, be "freely given." *Forman v. Davis*, 371 U.S. 178, 192 (1962). In *Advanced Cardiovascular Sys., Inc. v. SciMed Life Sys., Inc.*, the Court stated that "the court must be very liberal in granting leave to amend a complaint," noting that "this rule reflects an underlying policy that disputes should be determined on their merits, and not on the technicalities of pleading rules." *Advanced Cardiovascular Sys., Inc. v. SciMed Life Sys., Inc.*

memorandum
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 in support of motion to file second
 Amended Complaint WQH WMC
 12 cv 0372

989 F. Supp. 1237, 1241 (N.D. Cal. 1997),
In the Second Amended Complaint,
Plaintiffs will provide additional factual
details concerning the defendant's copying
and using Plaintiff's 3 copyright works
to create Titanic. We request the
Court to grant Plaintiffs motion for
leave to file a Second Amended Complaint
and would provide the Court and the
defendant with important and useful
information.

Conclusion

For the foregoing reasons, the
motion should be granted.

Dated 11-28-12, 2012

By: Princess Samantha Kennedy
Adam Clayton Ulrich
Plaintiffs, Pro Se

q. 12 cv 0372 WQH WMC

memorandum of Points and Authorities
In support of motion to file second
amended complaint

Declaration In Support of For the foregoing reasons, The Plaintiffs, Princess Samantha Kennedy and Adam Clayton Ulrich requests our motion to Leave to file Second Amended Complaint, to Amend Pursuant to Rule 42 U.S.C. Section 1983 or other law. Second motion to Amend.

I declare under penalty of perjury under the laws of the United States of America that foregoing is true and correct.

Princess Samantha Kennedy
~~Princess Samantha Kennedy~~
Dated 11-28-12 Adam Clayton Ulrich
Adam Clayton Ulrich

10.

12 cv0372 WQH WMC
memorandum of Points and

Authorities in support of motion
to file second amended complaint

Declaration of Princess Samantha Kennedy and
Adam Clayton Ulrich Pro Se

Proof of Service By Mail

I, Princess Samantha Kennedy declare as follows:
My address is 777 Seacoast Drive, #N, Imperial
Beach, Ca. 91932 which is located in the county
where the mailing described below took place,
the County of San Diego, State of California.
On November 28, 2012, I served the document(s)
described ^(date of mailing) as: Notice of motion to leave To Amend
with 60 days leave-second Amended Pleading /complaint
to file second Amended pleading, Memorandum of Points
and Authorities In support to file 2nd Amended pleading
with 60 days leave, on all interested parties in this
action placing a true and correct copy there of
in a sealed envelope, with first-class postage prepaid,
thereon, Overnight Express at the U.S. Post Office
in Imperial Beach, California to authorized officer
to be delivered to: Caldwell Leslie + Proctor, PC
Joan Mack address 725 South Figueroa Street,
31st Floor, Los Angeles, California 90017-5524
(their new address) I am over 18 years old. I declare
under penalty of perjury that the foregoing is
true and correct.

Executed on November 28, 2012 at Imperial Beach,
California.

Princess Samantha Kennedy
~~Princess Samantha Kennedy~~
Adam Clayton Ulrich
~~Adam Clayton Ulrich~~